



State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-1370 FAX (603) 271-1381



August 22, 2003

**CERTIFIED MAIL**  
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**RETURN RECEIPT REQUESTED**

**LETTER OF DEFICIENCY**  
**No. WMD 03-16**

Kollsman, Inc.  
220 Daniel Webster Highway  
Merrimack, New Hampshire 03054

Attn Mr. Roger Sutherland, President

**Re: Kollsman, Inc.**  
**Merrimack, New Hampshire**  
**EPA ID # NHD064441132**

Dear Mr. Sutherland

On June 12, 2003, the Department of Environmental Services, Waste Management Division (DES) conducted an inspection of Kollsman, Inc. (Kollsman). The purpose of the inspection was to determine Kollsman's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiencies in your hazardous waste management program were documented:

**Env-Wm 507.03(a)(1)a. Storage Requirements**

At the time of the inspection, DES personnel observed 205 containers of hazardous waste located on shelves in the Main Storage Area that were not marked with beginning accumulation dates (see hazardous waste container inventory). These included 153 containers that had been placed into 21 totes, and 52 containers that were not in totes. The hazardous waste containers are to be shipped off-site for disposal as lab packs.

Env-Wm 507.03(a)(1)a. requires that all containers used for the storage of hazardous waste be marked with the beginning accumulation date at the time they are first used to store hazardous wastes.

DES requested that Kollsman properly mark all containers of hazardous waste with the beginning accumulation date at the time they are first used to store waste. Alternatively, Kollsman may continue to segregate the containers according to the compatibility of the waste, place compatible wastes into the same totes, and then mark only the totes with the beginning accumulation date (the date the first hazardous waste container is placed into a tote).

*In a submittal dated June 26, 2003 from Kollsman, Mr. Leland Craig, Senior Facilities Engineer, stated that the hazardous waste containers and totes containing hazardous waste containers for lab pack were marked with the accumulation start date. No further action is requested.*

2 Env-Wm 507.03(a)(1)b., c., and d. Container Marking

At the time of the inspection, the 205 containers of hazardous waste in the Main Storage Area to be lab packed were not marked with the words "hazardous waste", words that identify the contents, and the EPA or state waste number (see hazardous waste container inventory). In addition, one (1) container of hazardous waste batteries, located just outside the door to the Main Storage Area, was not marked with the EPA or state waste number.

Env-Wm 507.03(a)(1)b., c., and d. require that all containers used for the storage of hazardous waste be marked with the words "hazardous waste", words that identify the contents, and the EPA or state waste number at the time they are first used to store hazardous wastes.

DES requested that Kollsman properly mark all containers of hazardous waste with the words "hazardous waste", words that identify the contents, and the EPA or state waste number at the time they are first used to store waste. Alternatively, Kollsman may continue to segregate the containers according to the compatibility of the waste, place compatible wastes into the same totes, and then mark only the totes with the words "hazardous waste", words that identify the contents, and the EPA or state waste numbers. The totes should be marked when the first hazardous waste container is placed into them. In addition, DES requests that the box of hazardous waste batteries be marked with the EPA or state waste number.

*In the June 26, 2003 submittal, Mr. Craig stated that the hazardous waste containers and totes containing hazardous waste containers for lab pack were marked as requested. DES requests that the box of hazardous waste batteries be marked with the EPA or state waste number.*

3 Env-Wm 509.02(a)(1) – General Inspection Requirements

At the time of the inspection, Kollsman had not documented the inspections of the Main Storage Area for 27 weeks over the past three (3) years. In addition, a review of

Kollsman's Hazardous Waste Storage Area Weekly Inspection Report revealed 1) the time of inspection was not documented for 27 weeks in 2000; and 2) a notation for observing leaks or deterioration caused by corrosion or other factors was not included.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, requires full quantity generators to conduct and document inspections of the facility, including hazardous waste storage areas. The inspections are required to be recorded in a log which includes the area being inspected, the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of the repairs or other remedial actions taken. Areas where containers are stored must be inspected at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

DES requested that Kollsman amend the existing Hazardous Waste Storage Area Weekly Inspection Report to include a notation for observing any leaks or deterioration caused by corrosion or other factors. Also, ensure that weekly container inspections are conducted and the time of inspection is recorded. Please submit an updated Hazardous Waste Storage Area Weekly Inspection Report to DES.

*In the June 26, 2003 submittal from Mr. Craig, a copy of the revised inspection report was provided. No further action is required.*

4. Env-Wm 509.02(a)(2) Personnel Training

A review of Kollsman's personnel training program revealed the following deficiencies:

- (a) Thomas Slosek was the primary emergency coordinator during the years 1998 through 2002. Mr. Slosek did not receive hazardous waste management training in three (3) of his five (5) years as the primary emergency coordinator (2000-2002).
- (b) Walter Belushko has been an alternate emergency coordinator and has conducted inspections of the main hazardous waste storage area since 2001. Mr. Belushko did not receive hazardous waste management training in 2001.
- (c) Leland Craig was an alternate emergency coordinator during the years 1998 through 2002, and has been the primary emergency coordinator since 2003. Mr. Craig did not receive hazardous waste management training in three (3) of his five (5) years as an alternate emergency coordinator (2000-2002).
- (d) Daniel Crete has conducted inspections of the main hazardous waste storage area since 2002. Mr. Crete received hazardous waste management training in 1999, but has not received an annual review since he started conducting inspections.

- (e) Training Plan records provided to DES at the time of inspection, failed to document a training program which includes a list of hazardous waste job titles, job descriptions, and names of employees filling each position.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for personnel handling hazardous waste, and specific documents and records related to personnel training are maintained at the facility.

DES requested that Kollsman conduct and document hazardous waste training and annual reviews for all Emergency Coordinators, and for employees who handle hazardous waste and/or sign hazardous waste manifests. DES also requests that Kollsman maintain a written personnel training program which documents hazardous waste job titles, job descriptions, and names of employees filling each position (refer to the enclosed FQG Module). Please submit a copy of this personnel training program to DES.

*In the June 26, 2003 submittal from Mr. Craig, a copy of the facility training plan was provided, however, the plan did not include the names of employees filling each hazardous waste related position. Mr. Craig also stated that Mr. Daniel Crete received hazardous waste management training on June 17, 2003. DES requests that Kollsman revise the training plan to include the names of the employees filling each hazardous waste related position and submit the revised pages of the plan to DES.*

5 Env-Wm 509.02(a)(5) Contingency Plan

At the time of the inspection, the Hazardous Waste Management and Emergency Response Plan maintained at the facility was not up-to-date because it contained names of contacts and emergency coordinators that were no longer employed by Kollsman, or were no longer serving as the contact person or emergency coordinator.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that Kollsman update the facility Hazardous Waste Management and Emergency Response Plan including the items identified in the enclosed Contingency Plan Module and submit a copy of the updated pages to DES. Kollsman should retain documentation that copies of the updated plan have been submitted to local authorities (police, fire, hospitals, contractors, and state and local emergency response teams) and submit that documentation to DES.

*In the June 26, 2003 submittal from Mr. Craig, a copy of the revised contingency plan was provided. Mr. Craig stated that copies of the plan will be submitted to local authorities for their written approval. DES requests that Kollsman submit documentation that those copies have been received by the local authorities.*

6. Env-Wm 509.02(b) – Emergency Posting

At the time of the inspection, the emergency posting at the nearest telephone to the Main Hazardous Waste Storage Area was present but incomplete.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers at the nearest telephone to the hazardous waste storage area (deficiencies are noted in italics):

- (a) The emergency coordinators (home and office);
- (b) The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and
- (c) *The location of fire extinguishers and spill control material, and, if present, fire and internal emergency alarms.*

DES requested that Kollsman post the required information at the nearest telephone to the Main Storage Area.

*In the June 26, 2003 submittal from Mr. Craig, a copy of the revised emergency posting was provided. No further action is required.*

7. Env-Wm 509.03 – Satellite Storage

At the time of the inspection, Kollsman was handling one (1) 55-gallon container of hazardous waste “Acetonitrile/Methanol/Water” located in the Main Storage Area as a satellite storage container; however, the location of this container did not meet the definition of “at or near the point of generation.”

Env-Wm 509.03 requires that all satellite storage areas be located at or near any point of generation where the wastes initially accumulate and be under the control of the operator of the process generating the waste.

DES requested that Kollsman manage the container of “Acetonitrile/Methanol/Water” located in the Main Storage Area according to the provisions of Env-Wm 509.02 (*i.e.* full storage area regulations).

*In the June 26, 2003 submittal from Mr. Craig, a manifest was provided documenting that this container was shipped off-site for disposal on June 20, 2003. Mr. Craig also stated that the satellite area would be eliminated because the waste stream is now inactive. No further action is required.*

8. Env-Wm 509.03(b) – Satellite Storage Handlers

A review of Kollsman training records revealed that all satellite handlers of hazardous waste have not received a review of hazardous waste management training since 1999.

Env-Wm 509.03(b), which references Env-Wm 509.02(a)(2) and 40 CFR 265.16, requires that satellite handlers of hazardous waste receive initial hazardous waste training and training updates every three (3) years.

DES requests that Kollsman conduct and document hazardous waste review training for all employees responsible for handling satellite storage containers of hazardous waste.

9. Env-Wm 509.03(d) – Satellite Storage Containers

At the time of the inspection, DES personnel observed two (2) 55-gallon satellite storage containers of hazardous waste “oil/speedi-dry/filters” located in the Machine Shop that were not closed.

Env-Wm 509.03(d), which references Env-Wm 507.01(a)(3), requires hazardous waste to be placed in satellite storage containers that are closed at all times except to add or remove waste.

DES requested that Kollsman ensure that satellite storage containers are properly sealed, and bungs or lids are closed except when hazardous waste is actually being added to or removed from the container as specified in Env-Wm 509.03(d).

*During the June 12, 2003 Inspection, Mr. Belushko closed the two (2) satellite storage containers of hazardous waste in the Machine Shop. No further action is required.*

10. Env-Wm 509.03(h) – Satellite Storage Area Inspections

At the time of the inspection, Kollsman had not documented the inspections of satellite storage areas for five (5) months over the past three (3) years. In addition, a review of Kollsman’s Satellite Storage Area Inspection Report revealed that the report did not include a notation for observing leaks or deterioration caused by corrosion or other factors.

Env-Wm 509.03(h), requires that satellite storage areas that have accumulated greater than 10 gallons of hazardous waste, the container(s) must be inspected at least monthly for leaks and for deterioration caused by corrosion or other factors.

DES requested that Kollsman amend the existing Satellite Storage Area Inspection Report to include a notation for observing any leaks or deterioration caused by corrosion or other factors. Also, ensure that inspections are conducted for satellite storage areas

that have accumulated greater than 10 gallons of hazardous waste. Please submit an updated Satellite Storage Area Inspection Report to DES.

*In the June 26, 2003 submittal from Mr. Craig, a copy of the revised inspection report was provided. No further action is required.*

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11 Env-Wm 512.01(a)(1) – Recordkeeping - Manifest Copies

At the time of the Inspection, Kollsman did not have on file copies of four (4) hazardous waste manifests certified by the designated facility, including:

- (a) Manifest No. MI7405156, dated January 23, 2001;
- (b) Manifest No. MI8120162, dated June 25, 2001;
- (c) Manifest No. NHG0018583, dated August 22, 2001; and
- (d) Manifest No. NHH0043359, dated November 12, 2001

Env-Wm 512.01(a)(1) requires that the generator keep all manifest copies for three (3) years from the date of signature by the generator.

DES requested that Kollsman obtain copies of the four (4) hazardous waste manifests listed above, and properly retain these copies and copies of future shipments of hazardous waste.

*In the June 26, 2003 submittal from Mr. Craig, copies of the above-listed manifests were provided; however, only copies of Manifest No. NHG0018583, dated August 22, 2001 and Manifest No. NHH0043359, dated November 12, 2001 contained signatures from the designated facility. DES requests that Kollsman obtain copies of the remaining two manifests listed above signed by the designated facility, and submit copies of those manifests to DES.*

12. Env-Wm 1102.03(c)(1) – Universal Waste Management

At the time of the inspection, seventeen (17) containers of universal waste lamps, located in the Main Storage Area, were not closed.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that Kollsman ensure that containers of universal waste lamps are closed, except when universal waste is being added to or removed from the container.

*In the June 26, 2003 submittal, Mr. Craig stated that all the boxes of universal waste lamps have been closed. No further action is required.*

DES believes the cited deficiencies can be corrected and a report describing the corrective measures taken by Kollsman can be submitted within thirty (30) days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Kollsman including issuing an order requiring that deficiencies be corrected, initiating another administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may reinspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Kenneth W. Marschner, Administrator  
DES/WMD  
6 Hazen Drive  
Concord, New Hampshire 03301-6509

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the



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DES

Hotline includes fact sheets that pertain to : wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at (1-866) HAZ-WAST (in-state only) or (603) 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Jessica Cajigas or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth W. Marschner", is written over a large, bold, black "COPY" stamp.

Kenneth W. Marschner, Administrator  
Waste Management Programs  
Waste Management Division

cc: DB/RCRA/LOD/Archives  
Philip J. O'Brien, Ph.D., P.G., Director, WMD  
Gretchen Rule, Esq., Administrator, DES Legal Unit  
Leland Craig, Senior Facilities

E-mail: JJD/SD/SD/PM

Enclosure: Hazardous